

REMARKS

Claims 1 - 11 are pending in the present application. Claim 12 is canceled by the present amendment.

Section 8 of the Office Action objects to an amendment that Applicants transmitted on 29 MAR 2005, on the grounds that Applicants' amendment of a paragraph that begins at page 2, line 28 introduced new subject matter. Applicants disagree with the assertion that the amendment introduced new subject matter, but rather than argue this point, Applicants are presently amending the paragraph so that it reads as originally filed. Withdrawal of the objection is respectfully solicited.

In addition to amending the paragraph that begins at page 2, line 28, Applicant is also amending the paragraph that begins at page 14, line 4, to correct a reference to an element shown in FIG. 9.

Section 10 of the Office Action rejects claims 1 – 12 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description. More particularly, with reference to claims 1 – 5, 7 and 8, the Office Action states that Applicants need to show support for the concept of "first data" and "second data" in relation with the geographic location of a camera. Below, Applicants show that the specification does, indeed, provide such support.

Claim 1 recites, *inter alia*:

first data indicative of a geographic location of said camera; and
second data indicative of a geographic location of said camera.

Figure 3 depicts a photo system in which a digital camera 3 provided with location determining means (such as a GPS receiver) is used to generate digital photos 4, each photo (also referred to as 'image data') 4 being stamped with location data indicating

where the photo was taken (page 4, lines 15 – 18). A situation may arise that a user would like to take a photograph of a place or item but has run out of film / on-camera storage, or is present at a time when it is not possible to take a photograph (at night, in heavy rain or mist, etc) (page 18, lines 26 – 29). In such cases, the user can record their location in their photo location log and subsequently retrieve from the Web (or other photo archive) a photograph similar to that the user wanted to take (page 18, lines 29 – 31). Where a camera is provided with location discovery means 29 for location stamping photos (see camera 90 in Figure 17), the control means 93 of the camera, when activated by user operation of input control 98, can be arranged to enable additional location information 98 to be stored in memory 94 without the need to actually record image data 95; this permits the camera to log the location of desired but untaken photos (page 19, lines 1 – 5).

Location data indicating where the photo was taken, as described at page 4, lines 15 – 18), is an example of **first data** indicative of a geographic location of said camera, as recited in claim 1.

Additional location information 98, as described at page 19, lines 1 – 5, is an example of **second data** indicative of a geographic location of said camera, as recited in claim 1.

Thus, as shown by the two preceding paragraphs, the specification provides support for the "first data" and "second" data, as recited in claim 1.

Claims 2 – 10 depend from claim 1. As such, the specification provides support for "first data" and "second" data, as may be recited in any of claims 2 – 10.

Claim 11 recites, *inter alia*, data indicative of a geographic location of said camera. The specification, at page 19, lines 5 – 6 describes **location data** that is recorded independently of taking a photo. Thus, the specification provides support for **data indicative of a geographic location** of said camera, as recited in claim 11.

Claim 12 is canceled.

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 – 12 as set forth in section 10 of the Office Action.

Section 11 of the Office Action rejects claims 3 and 5 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. More particularly, the Office Action states that the concept wherein "first data" and "second data" are recorded in a same sequence of data items is not supported in the original specification. Below, Applicants show that the specification does, indeed, provide such support.

Each of claims 3 and 5 depend from claim 1, and further recite that said first data and said second data are recorded in a same sequence of data items.

The specification states that **location data** that is recorded independently of taking a photo ('independent location data'), is preferably **stored in sequence** with location data associated with photos actually taken ('recorded-photo location data') (page 19, lines 5 – 8). Location data stored in sequence, as described at page 19, lines 5 – 8, is an example of said **first data** and said **second data** recorded in a same **sequence** of data items, as recited in each of claims 3 and 5.

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 3 and 5 as set forth in section 11 of the Office Action.

Section 12 of the Office Action rejects claims 1 – 12 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description. More particularly, with reference to claims 1 and 11, the Office Action states that the original disclosure does not support recitals of:

- (a) "user-portable equipment provided with camera functionality";
- (b) "in response to an activation by the user-portable equipment by a user";

- (c) "in a response to a further activation of the user-portable equipment"; and
- (d) "user-portable equipment".

Below, Applicants show that the specification does, indeed, provide support for these recitals.

Regarding the recital of "user-portable equipment provided with camera functionality", the specification at page 1, line 19, describes "a locatable portable electronic camera." FIG. 3 depicts a system that includes a digital camera 3 (page, 4, line 15). Whereas the specification discloses a locatable portable electronic camera, and further describes digital camera 3, the specification provides support for "user-portable equipment provided with camera functionality." Nevertheless, in order to simplifying the recitals of the claims, Applicants are amending the claims to recite "a camera" rather than "user-portable equipment provided with camera functionality".

Regarding the recital of "in response to an activation by the user-portable equipment by a user", FIG. 9 shows a digital camera 90 provided with a communications link to receive location data from a mobile entity 20 (page 13, lines 26 – 28). Camera 90 comprises a memory 94 for storing photo image data 95 (page 13, lines 28 – 30). Whatever form the location discovery means takes, when button 28 is operated, location data 98 is generated and is available in the phone for transfer to the camera 90 (page 14, lines 9 – 11). The control block 93 of the camera is operative to receive this location data and associate it with the last-taken photo (page 14, lines 14 – 15). Also, it would also be possible to have the taking of the photo by camera 90 trigger the location discovery by the cell phone followed by transfer to the camera (page 14, lines 26 – 27). In view of these descriptions in the specification, Applicants submit that the specification does, indeed, provide support for "in response to an activation by the user-portable equipment by a user". Nevertheless, Applicants are amending the claims to recite "a camera" rather than "user-portable equipment".

Regarding the recital of "in a response to a further activation of the user-portable equipment", the specification states that the user can record their location in their photo

location log (page 18, lines 29 – 30), and with reference to FIG. 17, states that the control means 93 of the camera, when activated by user operation of input control 98, can be arranged to enable additional location information 98 to be stored in memory 94 (page 19, lines 2 – 4). Thus the specification provides support for "in a response to a further activation of the user-portable equipment."

Regarding the recital of "user-portable equipment", as mentioned above, Applicants are amending the claims to recite "a camera" rather than "user-portable equipment".

Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1 – 12 as set forth in section 12 of the Office Action.

Section 13 of the Office Action objects to claims 1 – 12 as being difficult to understand due to confusing language. Applicants respectfully disagree with the assertion of the Office Action that the claims contain confusing language. For example claim 1, in abridged form, recites a method that includes, *inter alia*:

- recording first data indicative of a geographic location of a camera;
- recording, separately from taking an image recording using said camera, second data indicative of a geographic location of said camera; and
- subsequently augmenting said set by using said second data to retrieve an image recording concerning said geographic location indicated by said second data.

Applicants believe that the recitals of the claims are clear. Accordingly, Applicants respectfully request withdrawal of the objection, as set forth in section 13 of the Office Action.

In sections 15 - 17 of the Office Action, claims 1 - 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No 5,606,627 to Kuo (hereinafter "the Kuo patent"), in combination with one or more of:

- (a) U.S. Patent No. 5,995,936 to Brais et al. (hereinafter "the Brais et al. patent");
- (b) U.S. Patent No. 5,806,072 to Kuba et al. (hereinafter "the Kuba et al. patent"); and

(c) U.S. Patent No. 6,272,235 to Bacus et al. (hereinafter "the Bacus et al. patent").

Applicants are traversing these rejections.

Claim 1 provides a method of augmenting a set of image recordings taken using a camera. The method includes, *inter alia*:

- (a) recording first data indicative of a geographic location of the camera;
- (b) recording, in response to an activation of said camera, but separately from taking an image recording using said camera, second data indicative of a geographic location of said camera; and
- (c) subsequently augmenting said set by using said second data to retrieve an image recording concerning said geographic location indicated by said second data.

The Kuo patent is directed toward a technique for extracting digital elevation data from a pair of stereo images (Abstract). The Office Action suggests that the Kuo patent, in a passage at col. 4, line 60 – col. 5, line 17, substantially discloses the features of claim 1. Applicants respectfully disagree.

The Kuo patent, in the passage cited in the Office Action, describes a method that commences with the step of retrieving a pair of aerial images (col. 5, line 9). Applicants have not found that the cited passage, or any other passage in the Kuo patent, contains a disclosure of recording, separately from taking an image recording using said camera, data indicative of a geographic location of a camera. Accordingly, Applicants submit that the Kuo patent does not disclose recording, in response to an activation of said camera, but **separately from taking an image recording using said camera, second data indicative of a geographic location** of said camera, as recited in claim 1. Furthermore, whereas the Kuo patent does not disclose recording second data, it also does not disclose subsequently augmenting said set by **using said second data to retrieve an image recording** concerning said geographic location indicated by said second data, as is also recited in claim 1.

The Office Action introduces each of the Brais et al. patent, the Kuba et al. patent, and the Bacus et al. patent with a suggestion that these patents disclose features of dependent claims. None of the Brais et al., Kuba et al., nor Bacus et al. patents make up for the deficiencies of the Kuo patent as it relates to claim 1. Thus, the Kuo, Brais et al., Kuba et al., and Bacus et al. patents, whether considered independently or in combination with one another, neither disclose nor suggest all of the elements of claim 1. Accordingly, Applicants submit that claim 1 is patentable over the cited combination of references.

Claims 2 – 10 depend from claim 1. By virtue of this dependence, claims 2 – 10 are also patentable over the cited combination of references.

Claim 11 is an independent claim and provides a method that includes, *inter alia*:

- (a) recording, in response to an activation of a camera, but **separately from taking an image recording using said camera, data indicative of a geographic location of said camera**; and
- (b) retrieving, **based on said data**, from a resource other than said camera, a second image concerning said geographic location.

These recitals of claim 11 are similar to those of claim 1, as described above. Thus, claim 11, for reasoning similar to that provided in support of claim 1, is also patentable over the cited combination of references.

Claim 12 is canceled.

Applicants respectfully request reconsideration and withdrawal of the section 103(a) rejections of claims 1 – 12.

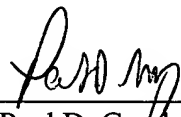
As mentioned above, Applicants are amending the claims to address rejections under 35 U.S.C. 112. None of the amendments is intended to narrow the meaning of any term of

the claims, and as such, the doctrine of equivalents should be available for all of the elements of all of the claims.

In view of the foregoing, Applicants respectfully submit that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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